

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
JUNE 17, 2015**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, June 17, 2015 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER:

Mayor Liang called the meeting to order at 7:07 p.m.

FLAG SALUTE:

The Monterey Park Police Explorers led the flag salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members: Present: Stephen Lam, Teresa Real Sebastian, Mitchell Ing, Peter Chan, Hans Liang

Council Members Absent: None.

ALSO PRESENT: City Manager Paul Talbot, City Treasurer Joseph Leon, Assistant City Attorney Karl Berger, Public Works Director/Assistant City Manager Ron Bow, Police Chief James Smith, Fire Chief Scott Haberle, Human Resources Director Tom Cody, Community and Economic Development Director Michael Huntley, Management Services Director Chu Thai, Recreation and Community Services Director Dan Costley, City Librarian Norma Arvizu, Controller Annie Yaung, Assistant City Engineer Rey Alfonso, Water Utility Manager Frank Heldman, Public Works Maintenance Manager Charles Nelson

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

1. PRESENTATIONS:

None.

ORAL AND WRITTEN COMMUNICATIONS

- Eric Tate, Secretary/Treasurer for the Teamster Local 848 and representing the current Spirit bus drivers, spoke about new vendor First Transit's intention not to hire the bus drivers. He provided a handout which was distributed, received and filed.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

- Maria Vazquez, a Spirit Bus rider, spoke kindly about her regular bus driver Ruth as well as the other drivers.
- Richard Gorman, representing the Monterey Park Library Foundation spoke about the upcoming Library Gala on June 17, 2015 at Empress Seafood restaurant in Monterey Park. He also spoke about the Monterey Park Chambers upcoming Western BBQ and Night Market event.
- Mayor Liang asked the Assistant City Attorney to look into the alleged labor code violations brought to Council's attention regarding the Spirit Bus contract which was awarded to First Transit. City Manger Talbot mentioned that the city will look into the allegations brought forth to ensure full compliance within applicable laws. He stated that this item may be address at a Special Presentation Meeting scheduled for June 23, 2015.
- Cynthia Amador-Diaz, a resident spoke about water conservation measures and possible grant funding available to the city. She submitted a letter which was distributed, received and filed.

2. SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA)

CONSENT CALENDAR

None.

NEW BUSINESS

2A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF JUNE 3 AND JUNE 17, 2015

It is required that the City Council (acting on behalf of the Successor Agency) approve all disbursements. Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 280-282.

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved payment of warrants and adopted Resolution No. SA-94 of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated June 3, 2015 and June 17, 2015 totaling \$231.82 and specifying the funds out of which the same are to be paid.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Chan, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution SA-94, entitled:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 3RD AND 17TH DAY OF JUNE 2015 TOTALING \$231.82 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2B. SUCCESSOR AGENCY INVESTMENT REPORT AS OF MAY 2015

In accordance with the City's Investment Policy, a monthly investment report is presented to the City Council showing the types of investments, dates of maturities, amounts of deposits, rates of interest, and the current market values for securities with maturity more than 12 months.

As of May 31, 2015 invested funds for the Successor Agency of the City of Monterey Park is as follows: Successor Agency (SA) Savings \$5,631,820.43; Successor Agency (SA) Checking \$67,977.00; Successor Agency (SA) RORF \$137,595.79 for a total of \$5,837,393.22.

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency received and filed the monthly investment report.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Chan, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

2C. SUCCESSOR AGENCY MINUTES

Approval of Minutes from the regular meetings of March 18, 2015, April 1, 2015, May 6, 2015 and May 20, 2015 of the Successor Agency to the former Monterey Park Redevelopment Agency.

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved the minutes from the regular meetings of March 18, 2015, April 1, 2015, May 6, 2015 and May 20, 2015.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Chan, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

This is the end of Successor Agency (SA) items.

3. **CITY OF MONTEREY PARK CONSENT CALENDAR**

None.

4. **PUBLIC HEARING**

4A. **PUBLIC HEARING TO CONSIDER ASSESSMENTS FOR THE CITYWIDE MAINTENANCE DISTRICT NO. 93-1 FOR FISCAL YEAR 2015-16 PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, ET SEQ.**

The City started the process to renew its Citywide Maintenance District No. 93-1 for the 2015-16 fiscal year at its April 15, 2015 meeting. At that time, the City Council approved the engineer's report, adopted the Resolution of Intention and scheduled June 3, 2015 for the public hearing. The June 3rd meeting and public hearing were continued by operation of law (the meeting was cancelled due to lack of a quorum) to tonight.

Action Taken: The City Council (1) opened the public hearing at 7:29 p.m. which was continued from the Regular Council Meeting of June 3, 2015; and (2) closed the public hearing at 7:30 p.m. and adopted Resolution No. 11747 authorized the Levy and Collection of Assessments for Fiscal Year 2015-16 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code § 22587.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 11747, entitled:

A RESOLUTION AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2015-16 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587

4B. **CONTINUATION OF PUBLIC HEARING FOR ADOPTION OF A RESOLUTION UPDATING THE MASTER SCHEDULE OF FEES AND CHARGES**

Action Taken: The City Council continued the public hearing to July 1, 2015 regarding the adoption of a Resolution updating the master schedule of fees and charges.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Liang, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

5. UNFINISHED BUSINESS

5A. SECOND READING AND ADOPTION: AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE REGARDING MASSAGE THERAPY BUSINESSES

The proposed ordinance would amend the Monterey Park Municipal Code ("MPMC") to restore limited land use regulation over massage establishments. This action was prompted by the recent enactment of AB 1147 which amended the California Business and Professions Code regulations as to massage establishments and authorized cities to, once again, exercise land use regulation over massage establishments.

On May 20, 2015, the City Council introduced the draft ordinance and waived first reading. The ordinance is now ready for second reading and adoption by the City Council.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2120.

Motion: Moved by Mayor Pro Tem Chan and seconded by Mayor Liang, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Ordinance No. 2120, entitled:

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE REGULATIONS OF MASSAGE ESTABLISHMENTS WITHIN THE CITY OF MONTEREY PARK

6. NEW BUSINESS

6A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF JUNE 3 AND 17, 2015

It is required that the City Council approve all disbursements. Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 304309-304824.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 11748 allowing certain claims and demands per Warrant Register dated June 3 2015 and June 17, 2015 totaling \$1,736,279.92 and specifying the funds out of which the same are to be paid.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 11748, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 3RD & 17TH DAY OF JUNE 2015 TOTALING \$1,736,279.92 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

6B. INVESTMENT REPORT AS OF MAY 2015

As of May 31, 2015 invested funds for the City of Monterey Park is \$84,911,116.00.

Action Taken: The City Council received and filed the monthly investment report.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

6C. CITY COUNCIL MINUTES

Approval of the minutes from the regular meetings of March 18, 2015, April 1, 2015, May 6, 2015 and May 20, 2015 and from special meetings of March 17, 2015 (Election), March 18, 2015, April 1, 2015, April 15, 2015, May 6, 2015, May 20, 2015, May 26, 2015 (Budgets) and May 27, 2015 (Budgets).

Action Taken: The City Council approved the minutes from regular meetings of March 18, 2015, April 1, 2015, May 6, 2015 and May 20, 2015; from special meetings of March 17, 2015 (Election), March 18, 2015, April 1, 2015, April 15, 2015, May 6, 2015, May 20, 2015, May 26, 2015 (Budgets) and May 27, 2015 (Budgets).

Motion: Moved by Mayor Liang and seconded by Council Real Sebastian, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

6D. RECOMMENDATIONS FOR ADOPTION OF FISCAL YEAR 2015-2016 ANNUAL BUDGET

The City Council conducted public budget hearings on May 26 and May 27, 2015 regarding the City's current finances, projected revenues, and financial obligations. The budget for 2015-16 presents a spending plan that anticipates \$88.3 million in estimated operating revenues and transfers-in from all funds combined and \$92.5 million in operating, capital improvement expenditures and transfers-out. The budget includes a total of 352 full-time-equivalent positions. Financial matters, including the AB 1522-new paid sick leave law and government accounting standards board statement 68 implementations, challenges and solutions, economic development projects, and goals and strategies associated with the City budget were presented and discussed at the hearing.

Action Taken: The City Council (1) adopted Resolution No. 11749, the City's and Successor Agency's Fiscal Year 2015-2016 Annual Budget as presented on May 26 and 27, 2015, City Manager's recommended budget as amended to:

- Page C3 - reduce City Council conference budget from \$58,000 to \$35,000. A maximum of \$7,000 per Council Member.
- Page K27 - reflect the part-time Animal Control Officer position in the Primary Program Expenditure Explanations and to eliminate it in the Goals and Objections Item #3.
- Page J22 - under Major Accomplishments #1, changed "worked" to "continue to work"
- Page M4 - clarified that the Friends of the Monterey Park Library Foundation and the Monterey Park Library Foundation as a Non Profit Organization in both the Program Description and Program Measurements.

Motion: Moved by Mayor Liang and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 11749 / SA-95, entitled:

A RESOLUTION ADOPTING THE FISCAL YEAR 2015-2016 FINAL OPERATING BUDGET FOR THE CITY OF MONTEREY PARK AND THE SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY; AND ADOPTING THE 2015-2016 CAPITAL IMPROVEMENT BUDGET

6E. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION ESTABLISHING INSURANCE REQUIREMENTS FOR CITY CONTRACTS AND DELEGATING AUTHORITY FOR INSURANCE DETERMINATIONS TO THE CITY MANAGER OR DESIGNEE

Presented to City Council for consideration is a resolution establishing the City's insurance requirements for City contracts and permits. Among other things, the resolution establishes general guidelines for insurance policy limits, forms, and risk categories. In addition, the resolution authorizes the City Manager, or Director of Human Resources and Risk Management (the City's "Risk Manager"), to implement the resolution and determine insurance requirements in specific circumstances in consultation with the City Attorney.

The proposed resolution would memorialize the City's ongoing insurance policies regarding risk transfer. It has been the City's policy to provide fair and consistent policies to protect the City's interests. There are instances, however, where the City's ability to efficiently process contracts and permits (for ease of reference, this staff report refers to both contracts and permits as "contracts") is hampered by the lack of City Council guidance as to insurance. If adopted, the resolution would give such direction and allow the City to fairly allocate risk while also timely processing contracts and permits.

Action Taken: Resolution No. 11750 was adopted establishing insurance requirements for City contracts and permits. Typographical corrections were made to Section 8(B); Section 9(A) was amended to include the sentence "high public exposure to bodily injury or property damage"; and the City Attorney was authorized to add language to the Resolution indicating that insurance may be waived for contracts with a value less than \$500 and involve no hazardous materials.

Resolution No. 11750, entitled:

A RESOLUTION ESTABLISHING INSURANCE REQUIREMENTS FOR CITY CONTRACTS AND DELEGATING AUTHORITY FOR INSURANCE DETERMINATIONS TO THE CITY MANAGER OR DESIGNEE

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing, motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Chan, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

6F. CONSIDERATION OF A RESOLUTION APPOINTING A REPRESENTATIVE TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY

The City of Monterey Park is a member of the Independent Cities Risk Management Authority (ICRMA). The proposed Resolution would notify the ICRMA of the City Council's action to appoint Director of Management Services Chu Thai as an alternate representative to the Independent Cities Risk Management Authority (ICRMA). Director of Human Resources & Risk Management Thomas J. Cody will remain the City's representative to the ICRMA Governing Board and Human Resources Technician, Raquel Richards, will continue to serve the board as the substitute alternate role.

Action Taken: The City Council adopted Resolution No. 11751, appointing Director of Management Services Chu Thai as an alternate representative to the Independent Cities Risk Management Authority (ICRMA) Governing Board, and maintain Tom Cody, Director of Human Resources and Risk Management, as the primary representative and Raquel Richards, Human Resources Technician, as the substitute alternate representative.

Motion: Moved by Mayor Pro Tem Chan and seconded by Mayor Liang motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Chan, Liang
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 11751, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK APPOINTING A REPRESENTATIVE, AN ALTERNATE AND A SUBSTITUTE ALTERNATE REPRESENTATIVE TO THE GOVERNING BOARD OF THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)

RECESSED AND RECONVENED

The City Council recessed at 9:10 p.m. and reconvened with all council members present at 9:18 p.m.

6G. DE LA FUENTE STREET WATER MAIN REPLACEMENT -- AWARD OF CONTRACT

On April 15, 2015 the City Council approved solicitation of bids for the De La Fuente Street Water Main Replacement. Bid opening occurred on June 4, 2015. Following the bid opening, Stephen Doreck Equipment Rentals, Inc. was determined to be the apparent lowest responsible bidder with an amount of \$339,340. The Engineer's estimate for this project is \$300,000.

Action Taken: Mayor Liang recused himself and left the dais due to a potential conflict of interest, as his residence is located on De La Fuente Street. The City Council awarded the contract for the De La Fuente Street Water Main

Replacement to the lowest bidder, Stephen Doreck Equipment Rentals, Inc., of Pico Rivera, in the amount of \$339,340.00; 2) authorized the Public Works Director to approve construction change orders up to \$33,930 (up to ten percent of construction contract amount) for this project; and 3) authorized the City Manager, or designee, to execute an agreement with Stephen Doreck Equipment Rentals, Inc. in a form approved by the City Attorney.

Motion: Moved by Council Member Lam and seconded by Council Member Ing motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: Liang
Abstain: Council Members: None

6H. ORDINANCES ENACTING WATER CONSERVATION MEASURES AND REQUIREMENTS IN ACCORDANCE WITH EMERGENCY REGULATIONS PROMULGATED BY THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

If adopted, the proposed ordinances would enact regulations implementing emergency regulations promulgated by the California State Water Resources Control Board. This would allow the City Council to declare various stages of drought emergency and enforce particular water conservation measures. These include, without limitation, placing restrictions on watering days. Since the state regulations were adopted on an emergency basis, they will expire by operation of law in February 2016. Accordingly, the proposed ordinance include a sunset clause that cause the regulations to expire unless the City Council take action to extend them before February 2016.

Action Taken: The City Council did not adopt an Urgency Ordinance enacting Water Conservation measures and requirements in accordance with Emergency Regulations Promulgated by the California State Water Resources Control Board due to a lack of a 4/5 vote; 2) a Resolution declaring a Stage 2 Drought Emergency and directing the Water Superintendent to implement water conservation restrictions in accordance with Section H20 1.070 of the Monterey Park Emergency Water Conservation Regulations was not adopted due to the lack of a 4/5 vote adopting an Urgency Ordinance. The resolution was amended to waive the permit fee for installation of a drip irrigation. The resolution will be brought back for consideration with the 2nd reading of the regular ordinance; and 3) introduced and waived the first reading of an Ordinance enacting Water Conservation measures and requirements in accordance with Emergency Regulations Promulgated by the California State Water Resources Control Board as amended in Section H20 1.060 to add language stating only issue warning for the first 30 days the ordinance is in effect.

Motion: Moved by Mayor Liang and seconded by Mayor Pro Tem Chan, motion carried by the following vote:

Ayes: Council Members: Lam, Chan, Liang
Noes: Council Members: Real Sebastian, Ing
Absent: Council Members: None
Abstain: Council Members: None

Action Taken: A motion to overrule the Mayor's decision to continue the meeting and not reopen Item No. 6H.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing, motion failed by the following vote:

Ayes: Council Members: Real Sebastian, Ing
Noes: Council Members: Lam, Chan, Liang
Absent: Council Members: None
Abstain: Council Members: None

7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

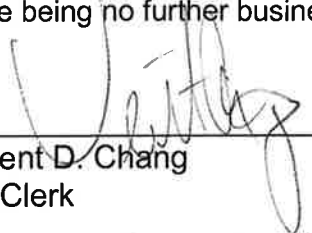
Council Member Lam reported that the Lions Club had a successful 68th Annual Pancake Breakfast. Council Member Real Sebastian reminded everyone about the next upcoming beautification day at Edison Trails Park on June 20, 2015. In addition, she mentioned the forthcoming Special Joint Presentation meeting on June 23, 2015 to discuss the South Garfield Specific Plan. She also encouraged the public to attend the 710 Freeway tunnel meeting on June 20, 2015 at the DW Griffith Middle School auditorium. Mayor Pro Tem Chan reported that he attended the city of San Gabriel's council meeting in support of the 710 tunnel project. He reported his attendance at the Metropolitan Transportation Authority meeting in May supporting the 710 tunnel project. Mayor Pro Tem Chan briefly mentioned his trip to Hong Kong where he spoke with their Police and Fire Department and a possible exchange program. Mayor Liang spoke about his 17 day trip to Japan, China and Taiwan visiting the city's Sister Cities and executed a friendly cooperation agreement with Lushunkou, China. He mentioned that the Mayor of our sister city in Morelia, Mexico will be joining the city in celebrating 4th of July. Council Members wished all the fathers a very happy Father's Day.

8. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:47 p.m.



Vincent D. Chang
City Clerk

Approved on August 5, 2015 at the Regular City Council Meeting